(50)

ACT

Against Profaneſs.

Edinburgh, the 9. of Auguſt 1693.

THe which day, the Lord Provoſt, Baillies, Counci and Deacons of Crafts, Ordinar and Extraordinar, being conveened in Council, conſidering, that the Profanation of the Lords Day, exceſſive drinking and drukenneſs, profane Swearing and Curſing, and other Immoralities, are diſcharged by ſeveral Acts of Parliament, under certain Penalties therein contained, and particularly, that by the 3*d* Act of the ſixth Parliament of King *James* the ſixth; It is Statute and Ordained, that there be no Mercats holden, nor handie-labouring, or working uſed on the Sabbath-day, or paſſing to Ale-houſes or Taverns, or ſelling of Meat or Drink; *Or* wilfull remaining from their Paroch-Church in time of Sermon, under the reſpective penalties contained in the ſaid *Act*: which Act is ratified by the firſt Act of the thirteenth Parliament, and by the ſixth Act of the fourteenth Parliament of the ſaid King *James*, as alſo particularly mentioned in the eighteenth Act of the firſt Seſſion of the firſt Parliament of King *Charles* the ſecond, whereby all former Acts made for Obſervation of the Sabbath-day are ratified, and all keeping of Mercats, or uſing any ſort of Merchandiſe on the ſaid day, and all other profanation thereof, is expreſly diſcharged, under the Penaltie of Ten pounds *Scots* at leaſt; And if the Partie Offender be not able to pay the Penaltie foreſaid, then to be examplary puniſhed in his Body according to the merit of his Fault: Likeas, by the Act, *Ja. 6. Parl.* 22, *cap.* 20. It is Statute, that perſons convict of Drukenneſs, and haunting of Taverns and Ale-houſes after Ten of the Clock at Night, or any time of the day, except the time of Travel, or for refreſhment, pay for the firſt Fault Three pounds *Scots*, or be put in Jogs or Goal ſix hours: For the ſecond five pounds, or be put in Jogs or Goal twelve hours: And for the Third Ten pounds, or to be put in Stocks or Goal twenty hours. And if they thereafter tranſgreſs, to be put in Goal till they find Caution for their better Behaviour. And that by the [illegible] *Parl.* 1. *Seſſ.* 1. *Cap.* 19. All former Acts againſt Drunkenneſs are ratified. And it is further Statute, that who drink to exceſs [illegible] the Noblemen twenty pounds, the Barron twenty Merks, the Gentleman, Heretor or Burgeſs ten Merks, the Yeoman fo[illegible]g, and the Servant twenty ſhilling *toties quoties*, and the Miniſter the fifth part of his Stipend, and that thoſe unable to pay be pu[illegible]ed in their Perſons; Both which Acts are again ratified, *Ch.* 2*d. Parl.* 2*d. Seſſ.* 3*d. Act* 22. Likeas, by the Act 9. *Mary, Parl.* 5, *Cap.* 16. Profain Swearing of abominable Oaths and deteſtable Execrations is forbid, under the particular pains therei[illegible]reſt, which pains ariſing gradually, for the repeated Tranſgreſſions do at length end in Baniſhment, or impriſonment for year and day; Which Act, is by the *Act. Ja. 6. Parl.* 7. *Cap.* 103, ratified with an Augmentation of the pains. And it is further Statute, that Magiſtrats to Burgh and Landwart, appoint Cenſores in publick Mercats and Fairs, with power to exact the ſaid pains, and that Houſholders dilate Offenders within their Houſe, under the pain to be eſteemed as Offenders themſelves. And the ſaid Acts againſt profain Swearing and Curſing are again ratified, *Ch.* 2. *Parl.* 1. *Seſſ.* 1. *Act* 19. Whereby it is further Statute, that who ſhall Blaſphame, Swear or Curſe ſhall pay, the Noblemen twenty Pounds, the Barron twenty Merks, the Gentleman, Heretor or Burgeſs ten Merks, the Yeamen fourty ſhilling, the Servant twenty ſhilling *toties quoties*, and the Miniſter the fifth part of his Stipend, and the perſons inſolvent to be puniſhed in their perſons, which Acts are of new ratified, *Ch.* 2*d. Par.* 2*d. Seſſ.* 3*d. Cap.* 22. All which Acts are again ratified and revived by the 40 Act of the 4. *Seſſ.* of this current Parliament, and Ordained to be put to ſtrict Execution with all diligence: Notwithſtanding of all which Acts, and the moſt holy and expreſs Law of God, the Foundation thereof, and the many Promiſſes and Threatnings contained in his Word, for the eſtabliſhing the ſame. Yet it is moſt manifeſt, and cannot be enough regreted, that the aforeſaid Tranſgreſſions and Exceſs do every where abound, to the Diſhonour of God, and the Reproach of the Proteſtant Religion. Therefore the Lord Provoſt, Baillies, and Council of this Burgh, do hereby declare, that they will be careful to ſee the foreſaid Acts of Parliament ſtrictly obſerved, and the Pains thereof exacted, and execute within all their Bounds and Suburbs, without Exception; And for the better Obſervance of the foreſaids Acts, made againſt the profanation of the Lords Day, they ſtrictly prohibit and diſcharge, all Perſons whatſoever within this City or Suburbs thereof to Brew, or to work any other handie-work, or labour on the Lords Day, or to be found on the Streets ſtanding or walking idlie, or to go in Company, or vage to the *Caſtle-hill*, publick Yards or Fields on that day, at any time thereof; And diſcharge all perſons to goto Ale-houſes or Taverns, for Eating or Drinking the time of Sermon, or unſeaſonably or unneceſſarly at any time on the Lords Day; And all Keepers of Taverns & Ale-houſes to ſell any time of the ſaid day to the ſaids Perſons, any Meat or Dri[illegible]to be eaten or drunken otherwiſe than as above expreſt as alſo all perſons to bring in Water from the Wells to Houſes on that day, in greater Quantities then ſingle Pints; Certifying all ſuch perſons who ſhall contraveen thir preſents, as alſo all Parents and Maſters, who ſhall not reſtrain their Children, Apprentices, and Servants, that they ſhall be fined in Ten pounds *Scots* for every ſuch Deed of Contravention; And if the Party offender be not able to pay the Penaltie foreſaid, then He or She ſhall be examplary puniſhed in his or her Body, according to the Merit of the Fault. And appoints this Act to be printed and publiſhed, that none may pretend ignorance. *Extracted by*

ÆNEAS McLEOD.

GOD ſave King *William* and Queen *Mary*.

Printed by the Heir of *Andrew Anderſon*, Printer to Their Moſt Excellent *Majeſties*, 1693.